IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WA.No. 145 of 2006()

AGAINST THE JUDGEMENT/ORDER IN OP.1992/1998 Dated 24/11/2005
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APPELLANT: PETITIONER:

K.S. JAMEELA BEEVI,
44/520, KALOOR, COCHIN-17.

BY ADV. SRI.K.RAVEENDRAN
SRI.M.A.HAKEEM SHAH

RESPONDENTS: RESPONDENTS:
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1. THE DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM.

2. THE PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION (F) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.SANDESH RAJA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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W.A. NO. 145 OF 2006

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Dated this the 6th day of July, 2007

J U D G M E N T

Radhakrishnan, J.

The writ petition was preferred by the appellant herein seeking a writ of certiorari to quash Ext.P7 order and also for a direction to the 1st respondent to correct the date of birth of the petitioner in the Service Book. Petitioner is a Selection Grade Lecturer in Zoology in Maharajas' College, Ernakulam. She had submitted an application for carrying out the correction of her date of birth in the SSLC Book and by Ext.P1 order, correction was carried out showing the correct date of birth as 7/5/1954 instead of 27/5/1953. As per the relevant notification, she had to submit the application for correction of date of birth in the Service Book within one year from the date of the notification. Consequentially, she had submitted an application dated 25/11/92 to the Principal, Maharajas' College, which was received by the Principal on 26/11/92. The application was however forwarded by the Principal only on 18/01/93, which was returned to the Principal

stating that original copy of the proceedings of the Commissioner of Examinations was not enclosed. However it is a fact that she had got her SSLC Book corrected on 5/10/90 before the issuance of the Government notification. The application was resubmitted in the year 1993 and returned by the Government in 1996, as belated.

2. Considering the fact that she had got her SSLC Book corrected in the year 1990 and she had submitted application within one year from the date of the Government order to the Principal, there is no justification in rejecting the application as belated. In such circumstances, we are inclined to quash Ext.P7 order and direct the Government to reconsider the application as one filed within time. Government shall pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this judgment. The judgment of the learned Single Judge is accordingly set aside.

Writ appeal is disposed of as above

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp